UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/54/228
19 August 1999
ENGLISH
ORIGINAL: CHINESE

Fifty-fourth session
Item 57 of the provisional agenda*

IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS

Letter dated 19 August 1999 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

On 11 August 1999, Nicaragua and a very small number of other countries addressed a letter to you in which they request to inscribe on the agenda of the fifty-fourth session of the General Assembly an item entitled "Need to examine the exceptional international situation pertaining to the Republic of China on Taiwan, to ensure that the fundamental right of its twenty-two million people to participate in the work and activities of the United Nations is fully respected" (A/54/194). Upon instruction of my Government, I hereby solemnly state our position as follows:

1. The above-mentioned countries have once again put the so-called "Taiwan's participation in the United Nations" before the General Assembly in an attempt to create "two Chinas" in the Organization. Such an act is a brazen challenge to the "one China" principle widely recognized by the international community. It has seriously contravened the purposes and principles of the *Charter of the United Nations*, severely encroached upon China's sovereignty and territorial integrity, and grossly interfered in China's internal affairs. The Chinese Government strongly condemns and opposes such an act and urges these countries to immediately correct their illegal act of obstructing China's peaceful reunification.

* A/54/150.

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2. It is known to all that there is only one China in the world and Taiwan has been an inseparable part of China since ancient times. Numerous international instruments, including the 1943 *Cairo Declaration* and the 1945 *Potsdam Proclamation*, reaffirmed time and again China's sovereignty over Taiwan. According to international law, the change of government in a country does not change the composition of its territory or citizens. The founding of the People's Republic of China in 1949 ended the history of the government of the Republic of China, and the Government of the People's Republic of China has been the sole legal government representing the whole of China ever since. As a matter of course, the Government of the People's Republic of China, inheriting all Chinese territories under the jurisdiction of the previous government of the Republic of China, has exercised sovereignty over the whole of China, including Taiwan province and become the sole legal representative of China in the international community. To date, more than 160 countries in the world have diplomatic relations with China. They all acknowledge that there is only one China in the world, that the Government of the People's Republic of China is the sole legal government representing the whole of China and that Taiwan is a part of China. Although the two sides of the Taiwan Straits are in a state of separation now, that does not change the status of Taiwan as a part of China, nor China's sovereignty over Taiwan. The two sides of the Straits are by no means two countries. Thus it is nothing strange that the minute it was dished out, Lee Tenghui's "special state-to-state relationship" theory met with unanimous opposition and condemnation of all Chinese within and outside of China, as well as wide criticism by the international community. Many countries reaffirmed their commitment to the "one China" principle.

3. In 1971, the 26th session of the United Nations General Assembly adopted, by an overwhelming majority, the historically significant Resolution 2758 (XXVI), but the above-mentioned letter has gone so far as to willfully distort the meaning of the resolution and claim that the resolution has not addressed the issue of Taiwan's representation at the United Nations. According to principles of international law, the sovereignty of a state is indivisible. Consequently, the representation of a state in an international organization composed of sovereign states is also indivisible. As is known to all, in the 22 years before Resolution 2758 was adopted, due to the Cold War, the Government of the People's Republic of China had been excluded from the United Nations and the

seat of China at the Organization illegally occupied by the Taiwan authorities. Resolution 2758 corrected this historical mistake created by the Cold War by recognizing clearly and unequivocally that "the representatives of the Government of the People's Republic of China to the United Nations are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the five permanent members of the Security Council" and deciding to restore all legitimate rights of the People's Republic of China in the United Nations and expel the representatives of Taiwan who were claiming to represent China "from the place which they unlawfully occupy at the United Nations and in all the organizations related to it". Restoring the legitimate rights of the People's Republic of China at the United Nations and expelling the Taiwan authorities from the Organization are two indivisible aspects of the one issue of China's representation at the UN. One can not be without the other. Resolution 2758 confirmed the "one China" principle and solved the issue of China's representation at the UN in a just, thorough and comprehensive manner. Its adoption also defeated the attempts of a handful of countries to create "two Chinas" or "one China, one Taiwan" at the UN. This resolution is in conformity with the historical trend of the times and accords with the purposes and principles of the *Charter of the United Nations*. As of the day when the legitimate rights of the People's Republic of China were restored at the UN, the Government of the People's Republic rightfully represents all Chinese, including the Taiwan compatriots, in the United Nations and all organizations related to it. Thus, there is simply no such issue as Taiwan's so-called "representation at the United Nations".

4. The United Nations is an inter-governmental international organization composed of sovereign states. Article 4 of its *Charter* clearly stipulates that UN membership is open only to sovereign states. As a province of China, Taiwan is in no position to participate in the work or activities of the United Nations or its specialized agencies. The issue of Taiwan is fundamentally different from those of Germany and Korea and can not be placed on a par with them. The German and Korean issues were results of a series of international agreements reached during and after World War II while the issue of Taiwan is a leftover of China's civil war. Therefore, the principle of parallel representation does not apply to Taiwan at all. The General Committee of the successive sessions of the General Assembly since 1993 has flatly refused to include the issue of Taiwan's so-called "participation" in the United Nations in the

agenda of the General Assembly. This fully demonstrates the determination of the vast number of Member States to safeguard the *Charter of the United Nations* and norms of international law as well as their strong will to preserve the solemnity of Resolution 2758. Although this year's proposal by Nicaragua and a small number of other countries came out after elaborate and meticulous repackaging, it will inevitably come to the same end as that of all the previous ones.

5. The issue of Taiwan is purely an internal matter of China and an issue for the Chinese themselves to resolve. It brooks no foreign interference. There is nobody in the world who cares more about the future and interests of the 22 million Taiwan compatriots than the Chinese Government and people. To solve the question of Taiwan and realize reunification of the motherland, the late Chinese leader Deng Xiaoping came up with the creative concept of "peaceful reunification and one country, two systems" which later became and still remains a fundamental state policy. President Jiang Zemin put forward an eight-point proposal for developing cross-Straits relations and promoting peaceful reunification of the motherland. All these policies and proposals have taken into account the paramount interest of national development and the long-term interest of the entire Chinese population. They have also accommodated and helped protect the fundamental interest of Taiwan compatriots and Taiwan's need for development. These policies and principles are warmly supported by all Chinese, including Taiwan compatriots, and well received by the international community. The smooth return of Hong Kong has proven the policy of "one country, two systems" a great success. In accordance with the same policy, Macao will return to China by the end of this year. To achieve peaceful reunification of the motherland in accordance with the principle of "one country, two systems" is the aspiration of all Chinese people, including Taiwan compatriots. In keeping with their long-term interest, it will also be a contribution to peace and security in the Asia Pacific. As a matter of fact, the Chinese Government has taken a series of measures in recent years to promote dialogue, personnel exchange, economic relations and trade between the two sides of the Straits. However, the separatist remarks by the Taiwan authorities and their attempts to create "two Chinas" in the international arena have severely damaged cross-Straits relations, built up tension in the area and endangered peace and security in the Asia Pacific. The proposal by Nicaragua and a handful of other countries would only fan the flames of Taiwan's separatist activities and

hinder China's peaceful reunification.

6. China attaches importance to its relations with all UN Member States and is willing to develop friendly relations and cooperation with all countries in the world on the basis of the principles of mutual respect for state sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful coexistence. China has not done anything harmful to the interest of the above-mentioned small number of countries, but time and again, what they have done and are still doing regarding the issue of Taiwan has undermined China's fundamental state interest and hurt the feelings of the Chinese people. We hope that these countries will get a clear understanding of the situation and go along with the historical trend. We hope that they will abide by the *Charter of the United Nations* and relevant General Assembly resolutions, join the vast majority of UN Member States in their unanimous position on this issue and not be deceived and taken advantage of by the Taiwan authorities any more. We have every reason to believe that in our just cause of safeguarding state sovereignty and territorial integrity, the Chinese Government and people will continue to be able to count on the government and people of the majority of Member States for their understanding and support.

I have the honor to request that this letter be circulated as an official document of the fifty-fourth session of the General Assembly under item 57 of the provisional agenda.

Please accept, Excellency, the assurances of my highest consideration.

(Signed) Qin Huasun

Ambassador Extraordinary and Plenipotentiary
and Permanent Representative of
the People's Republic of China
to the United Nations

United Nations A/54/229

General Assembly

Distr.: General
24 August 1999
English
Original: English and Spanish

Fifty-fourth session
Item 52 of the provisional agenda*
Question of the Falkland Islands (Malvinas)

Letter dated 12 August 1999 from the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

We have the honour to convey to you the text of the joint statement and the accompanying letters (see annex) issued at the conclusion of a meeting between the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland and the Minister of Foreign Affairs, International Trade and Worship of the Argentine Republic, held in London on 13 and 14 July 1999.

We request that the present note and its annex be circulated as an official document of the General Assembly, under item 52 of the provisional agenda.

(*Signed*) Fernando **Petrella**
Ambassador
Permanent Representative
of the Argentine Republic
to the United Nations

(*Signed*) Stewart **Eldon**
Chargé d'affaires
Permanent Mission of
Great Britain and Northern Ireland
to the United Nations

* A/54/150.

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Annex

Joint statement

I Introduction

United Kingdom and Argentine delegations met in London on 13 and 14 July 1999 in a constructive and friendly atmosphere, to continue the dialogue begun in London on 25/27 May and continued in New York on 2 July. The United Kingdom delegation was led by the Secretary of State for Foreign and Commonwealth Affairs, Robin Cook, and the Argentine delegation by the Minister of Foreign Affairs, Trade and Worship, Guido Di Tella. The United Kingdom delegation included members of the Falkland Islands Legislative Council.

The two Ministers recalled the Joint Statements made by the UK and Argentine delegations in Madrid on 19 October 1989 and 15 February 1990, which made possible the normalisation of relations between the two countries, and the re-establishment of successful co-operation in the bilateral sphere. They agreed that the formula on sovereignty in paragraph 2 of the Joint Statement of 19 October 1989 applied to this Joint Statement and to its consequences.

They welcomed the improved understanding and degree of reconciliation in the bilateral relationship marked by the exchange of visits of the President of Argentina in October 1998 and HRH The Prince of Wales in March 1999.

The two Parties reached agreement on the following points.

II Access and Air Services

1. Argentine citizens will be able to visit the Falkland Islands, on their own passports. This provision applies equally to Argentine citizens travelling by air and by sea.

2. Full support for the immediate resumption of direct scheduled civil air services between Chile and the Falkland Islands, operated by Lan Chile or any other carrier agreed between the Parties. From 16 October 1999, these services will include stops in mainland Argentina, where they will be able to take on and discharge passengers, cargo and mail.

3. The possibility of flights between the Falkland Islands and third countries was welcomed with the option, from 16 October 1999, of making stops in mainland Argentina.

III Fishing

In the light of the shared commitment to the maintenance and conservation of fish stocks in the South Atlantic, existing levels of co-operation between the United Kingdom and Argentina will be enhanced. In this context officials will meet shortly to consider the question of the relative stability of fish stocks, poaching, and other questions related to it and to recommend coordinated programmes of practical measures with the objective of putting them in place before 9 October 1999.

IV Confidence-Building

With a view to the further development of reconciliation and mutual understanding:

i) A memorial to members of the Argentine armed services killed in action in 1982 will be constructed at the Argentine cemetery in the Falkland Islands.

(ii) The Argentine Government is prepared to look at the question of toponomy in the Falkland Islands. To that end it will continue to consult the appropriate national institutions.

iii) As the Prime Minister of the United Kingdom and the President of the Argentine Republic agreed in October 1998, the two Governments will continue to work together to evaluate the feasibility and cost of clearing the land mines still present in the Falkland Islands.

V Procedures

i) The implementation of the arrangements detailed in this Joint Statement will be recorded in an exchange of letters between the two Governments.

ii) The Governments will jointly send the text of the present statement and the accompanying letters, in English and Spanish, to the Secretary-General of the United Nations for distribution as an official document of the

General Assembly under the appropriate item of the Agenda of the next regular session.

(iii) This joint statement, as well as the arrangements deriving from it, will be kept under review by the two Governments.

For the Government of the United Kingdom of Great Britain and Northern Ireland

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(Foreign Secretary)

For the Government of the Argentine Republic

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(Foreign Minister)

In the presence of the following members of the:

United Kingdom Delegation

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Argentine Delegation

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Letter dated 14 July 1999 from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland to the Minister of Foreign Affairs, International Trade and Worship of Argentina

[Original: English]

I have the honour to refer to our Joint Statement signed in London on 14 July 1999. This Statement provided for an exchange of letters, to which the formula on sovereignty in paragraph 2 of the Joint Statement issued at Madrid on 19 October 1989 applies, to record the understandings between our Governments on its detailed implementation.

In this respect I have the honour to propose the following arrangements:

I Visits

(1) An Argentine passport valid for the duration of the intended stay will be needed by an Argentine citizen for visits to the Falkland Islands.

(2) Argentine passports presented by visitors to the Falkland Islands will be stamped on the same basis as all other passports presented by visitors to the Falkland Islands.

(3) The numbers of visitors to the Falkland Islands at any one time needs to reflect local capacity including the availability of accommodation. Visitors will be required to arrange accommodation in advance and to have a return ticket and sufficient funds for their intended stay.

II Air Services

(1) The Argentine Government will seek the consent of the Chilean Government to the immediate resumption of civil air services between Chile and the Falkland Islands, operated by Lan Chile or any other carrier agreed between the Parties.

(2) It is envisaged that civil air services between Punta Arenas and the Falkland Islands will take place once a week. From 16 October 1999 they will make initially two stops per month at Rio Gallegos, one in each direction. This arrangement will be kept under review.

(3) In the event that the Punta Arenas service does not continue, one of any successor or substituting civil air services will make a stop in mainland Argentina, initially at a rate of two stops per month, one in each direction.

(4) Flight clearances issued by the Argentine authorities for civil air services to the Falkland Islands will enable the carrier or carriers to postpone flights for natural or technical reasons.

(5) Should civil air services between the Falkland Islands and third countries be operated then the option of making stops in mainland Argentina may only be exercised after 16 October 1999 by the operators based on overall commercial considerations and subject to the appropriate authorisation by the parties.

(6) The Argentine Government will seek the support of its Mercosur partners for these arrangements.

III Transit

The Argentine authorities will consider as "in transit" all passengers, cargo and mail arriving by air in the Argentine mainland which is en route to or from the Falkland Islands when they are not destined for the Argentine mainland.

IV Fisheries

(1) The British and Argentine Governments will convene a meeting of the South Atlantic Fisheries Commission. It will discuss ways of developing their mutual interest in the conservation of fisheries resources of the South Atlantic including the relative stability of stocks and their economic significance for the area. The meeting's agenda will also include consideration of multilateral arrangements relating to high seas fisheries.

(2) They will, also, explore and recommend practical ways of dealing with poaching in the South Atlantic including amongst other things the exchange of information and data, ways of enhancing fisheries protection measures and helping develop secure fisheries communication channels.

V Confidence-building

The details of the memorial referred to in Paragraph IV (1) of the Joint Statement of 14 July 1999 will be agreed mutually.

VI Humanitarian Visits

(1) The Joint Statement of 14 July 1999 replaces the special arrangements based on humanitarian considerations and the provisions in Paragraph 10 of the Joint Statement of 15 February 1990 for visits to the Falkland Islands by close relatives of Argentine nationals buried there, including civil charter flights between the Argentine mainland and the Falkland Islands for the purpose of these visits.

(2) Argentine nationals visiting the Falkland Islands will continue to be able to visit cemeteries where members of the Argentine armed services killed in action in the 1982 conflict have been buried.

VII Detailed arrangements

Officials of our two Governments will discuss the detailed implementation of these arrangements as a matter of urgency.

I should be grateful if you could confirm that the foregoing represents the understanding of our two Governments with regard to this matter.

(*Signed*) Robin **Cook**

Letter dated 14 July 1999 from the Minister of Foreign Affairs, International Trade and Worship of Argentina to the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland

[Original: Spanish]

I have the honour to refer to your note of 14 July, which reads in English as follows:

"I have the honour to refer to our Joint Statement signed in London on 14 July 1999. This Statement provided for an exchange of letters, to which the formula on sovereignty in paragraph 2 of the Joint Statement issued at Madrid on 19 October 1989 applies, to record the understandings between our Governments on its detailed implementation.

In this respect I have the honour to propose the following arrangements:

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(3) The numbers of visitors to the Falkland Islands at any one time needs to reflect local capacity including the availability of accommodation. Visitors will be required to arrange accommodation in advance and to have a return ticket and sufficient funds for their intended stay.

II Air Services

(1) The Argentine Government will seek the consent of the Chilean Government to the immediate resumption of civil air services between Chile and the Falkland Islands, operated by Lan Chile or any other carrier agreed between the Parties.

(2) It is envisaged that civil air services between Punta Arenas and the Falkland Islands will take place once a week. From 16 October 1999 they will make initially two stops per month at Rio Gallegos, one in each direction. This arrangement will be kept under review.

(3) In the event that the Punta Arenas service does not continue, one of any successor or substituting civil air services will make a stop in mainland Argentina, initially at a rate of two stops per month, one in each direction.

(4) Flight clearances issued by the Argentine authorities for civil air services to the Falkland Islands will enable the carrier or carriers to postpone flights for natural or technical reasons.

(5) Should civil air services between the Falkland Islands and third countries be operated then the option of making stops in mainland Argentina may only be exercised after 16 October 1999 by the operators based on overall commercial considerations and subject to the appropriate authorisation by the parties.

(6) The Argentine Government will seek the support of its Mercosur partners for these arrangements.

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The Argentine authorities will consider as "in transit" all passengers, cargo and mail arriving by air in the Argentine mainland which is en route to or from the Falkland Islands when they are not destined for the Argentine mainland.

IV Fisheries

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(2) They will, also, explore and recommend practical ways of dealing with poaching in the South Atlantic including amongst other things the exchange of information and data, ways of enhancing fisheries protection measures and helping develop secure fisheries communication channels.

V Confidence-building

The details of the memorial referred to in Paragraph IV (1) of the Joint Statement of 14 July 1999 will be agreed mutually.

VI Humanitarian Visits

(1) The Joint Statement of 14 July 1999 replaces the special arrangements based on humanitarian considerations and the provisions in Paragraph 10 of the Joint Statement of 15 February 1990 for visits to the Falkland Islands by close relatives of Argentine nationals buried there, including civil charter flights between the Argentine mainland and the Falkland Islands for the purpose of these visits.

(2) Argentine nationals visiting the Falkland Islands will continue to be able to visit cemeteries where members of the Argentine armed services killed in action in the 1982 conflict have been buried.

VII Detailed arrangements

Officials of our two Governments will discuss the detailed implementation of these arrangements as a matter of urgency.

I should be grateful if you could confirm that the foregoing represents the understanding of our two Governments with regard to this matter."

The Government of Argentina accepts the arrangements proposed in your note of 14 July and has the honour to confirm that your note and this reply represent the understanding of our two Governments with regard to this matter.

(*Signed*) Guido **Di Tella**
Minister of Foreign Affairs,
International Trade and Worship

United Nations A/54/230

General Assembly

Distr.: General
19 August 1999

Original: English

Fifty-fourth session
Item 52 of the provisional agenda*
Question of the Falkland Islands (Malvinas)

Letter dated 12 August 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to convey to you the text of a letter from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland to the Minister of Foreign Affairs, International Trade and Worship of the Argentine Republic (see annex), regarding the joint statement signed in London on 14 July 1999.

I request that the present letter be circulated as a document of the General Assembly, under item 52 of the provisional agenda.

(*Signed*) Stewart **Eldon**
Chargé d'affaires
Permanent Mission of the United Kingdom
of Great Britain and Northern Ireland
to the United Nations

* A/54/150.

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Annex

Letter dated 14 July 1999 from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom addressed to the Minister of Foreign Affairs, Trade and Worship of Argentina

I have the honour to refer to the joint statement we signed in London today and to our exchange of letters, also of today's date, recording the understandings between our Governments on its detailed implementation.

I should like you to be aware that some of the responsibilities and commitments of the Government of the United Kingdom of Great Britain and Northern Ireland under the aforementioned joint statement and exchange of letters will be discharged by Her Majesty's Government of the Falkland Islands.

(*Signed*) Robin **Cook**